

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Midwest Motor Supply Company, Inc.,	:	
Plaintiff	:	Case No. 2:05-cv-1135
v.	:	Judge Frost
Ricahrd A. Cataldo,	:	Magistrate Judge Abel
Defendant	:	

Order

This matter is before the Court on the Magistrate Judge's March 27, 2006 Report and Recommendation recommending that plaintiff Midwest Motor Supply Company, Inc.'s January 4, 2006 motion to remand be granted. Defendant has not filed any objections to the Report and Recommendation.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation and **GRANTS** plaintiff Midwest Motor Supply Company, Inc.'s January 4, 2006 motion to remand. This case is REMANDED to the Franklin County Court of Common Pleas.

/s/ Gregory L. Frost
Gregory L. Frost
United States District Court